

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

MICHAEL L. BURNETT,

PLAINTIFF,

v.

**STATE OF TENNESSEE
DEPARTMENT OF
CHILDREN'S SERVICES,**

DEFENDANT.

No.: 3:12-cv-581

Phillips/Shirley

JURY DEMANDED

STIPULATED PROTECTIVE ORDER

The parties have agreed to a protective order in regard to certain documents requested by the defendant that the plaintiff maintains are confidential. These documents include the plaintiff's medical records, employment records, financial information, and tax records. The parties have agreed to the appropriate use and dissemination of the plaintiff's confidential information as further specified herein. By agreeing to this Order, the plaintiff is not waiving any objections to the discoverability, relevance, or admissibility of documents requested by defendant.

IT IS THEREFORE ORDERED:

1. The records produced by the plaintiff designated as "Confidential" may include the plaintiff's medical records, employment records, financial records, tax records, and records of a similar nature.

2. Access to documents designated "Confidential" and copies thereof or the information contained therein shall be limited to the parties and counsel of record and their staff actively engaged in this proceeding. The defendant shall not give or provide the documents and

copies of the information contained therein to any other person, except as provided herein unless either: (i) the Court, upon reasonable notice, enters an order permitting declassification of the documents or information; or (ii) the plaintiff agrees. The defendant shall use the documents and copies or the information contained therein solely in connection with this proceeding and for no other purpose.

3. Solely for the purposes of this action, the defendant may disclose said confidential documents, copies, or the information contained therein to persons who are independent expert witnesses or prospective independent expert witnesses in this action. The defendant shall provide to each independently retained expert to whom disclosure is being made a copy of this Order, each such person shall agree to comply with and be bound by its terms, and that expert shall execute, subscribe, and return to the party seeking to disclose the confidential records an acknowledged copy of the Confidentiality Affidavit, a copy of which is appended hereto as **Exhibit 1.**

4. It is the intent of the parties that this Order shall not limit the appropriate use in this litigation of the documents or excerpts thereof or information contained therein covered by this Order that are relevant to the issues in the case. Upon motion, and in compliance with E.D. TN. LR 26.2, any party may request that specific documents or portions thereof be filed under seal.

5. No designated person, witness, or counsel shall make any permanent copies of confidential documents or information contained therein, for any use in their business or personal affairs or any other litigation or case. No confidential documents, copies thereof, or any information contained therein shall be used for any purpose, other than the preparation and conduct of this litigation.

6. After the termination of this action, the defendant shall collect all copies of all confidential documents covered by this Order, including copies entrusted to any person to whom disclosure has been made pursuant to this Order, and shall forthwith return the same to counsel for the plaintiff, or destroy the documents.

ENTERED this 29 day of July, 2013.

s/ C. Clifford Shirley, Jr.
UNITED STATES MAGISTRATE JUDGE

APPROVED FOR ENTRY:

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